THE PETITION OF The LORDS and COMMONS in Parliament, delivered to His Majesty, the 16 day of IVLY:

Together

With His MAJESTIES ANSWER thereunto.

Charles Rex.

OVr expresse Pleasure is, That this Petition of the Lords and Commons, with Our Answer thereto, be read in all Churches and Chappels within the Kingdom of ENGLAND and Dominion of *Wales*, by the Parsons, Vicars, or Curats of the same.

WITH THE

VOTES

Die Martis. 12 Julii, 1642.

LONDON,

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To the KING'S most Excellent MAIESTIE.

The humble Petition of the Lords and Commons Assembled in Parliament.

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May it please your Majestie,

ALthough we your Majesties most humble and faithfull Subjects the Lords and Commons in Parliament assembled, have beene very unhappy in many former Petitions and supplications to your Majesty, Wherein wee have represented our most dutifull Affections, in advising and desiring those things which we held most necessary for the preservation of Gods true Religion, Your Majesties safety and honour, and the Peace of the Kingdome; And with much sorrow doe perceive, That Your Majestie, incenst by many false Calumnies, and Slaunders, doth continue to raise Forces against us, and Your other peaceable and loyall Subjects, and to make great Preparations for War, both in the Kingdom, & from beyond the Seas; And by Armes & violence to over-rule the Judgement and Advice of your great Councell, and by force to determine the Questions there depending concerning the Government and Liberty of the Kingdom; yet such is our earnest desire of discharging our duty to Your Majesty and the Kingdome, to preserve the peace thereof, and to prevent the Miseries of Civill Warre amongst your Subjects; That notwithstanding we hold our selves bound to use all the means and power, which by the Lawes and Constitutions of this Kingdome wee are trusted with for defence and protection thereof, and of the Subjects from force and violence; We do in this our humble and loyall Petition prostrate our selves at Your Majesties feet, beseeching your Royal Majesty, That You will be pleased to forbeare, and remove all Preparations and Actions of War, particularly the Forces from about *Hull*, from *Newcastle*, *Tynmouth*, *Lincoln*, and *Lincolnshire*, and all other Places; And that your Majesty will recall the Commissions of Array, which are illegall; Dismisse Troops, and extraordinary Guards, by you raised; That Your Majesty will come neerer to Your Parliament, and hearken to their faithfull Advise, and humble Petitions, which shall onely tend to the defence and advancement of Religion, Your owne Royall Honour and safety, the Preservation of our Lawes and Liberties; And we have been, and shall ever bee carefull to prevent and punish all Tumults, and seditious Actions, Speeches, and Writings, which may give Your Majesty just cause of distast or apprehension of danger (from which publick aims & resolutions, no sinister or private respect shal ever make us to decline.) That Your Majesty wil leave Delinquents to the due course of justice; And that nothing done or spoken in Parliament, or by any Person in pursuance of the Command and Directions of both Houses of Parliament bee questioned any where but in Parliament. And we, for our Parts, shall be ready to lay down all those preparations which we have been forced to make for our defence. And for the Town of *Hull*, and the Ordinance concerning the *Militia*, as we have in both these particulars, onely sought the preservation of the Peace of the King-

Kingdome, and the Defence of the Parliament, from force and violence; So wee shall most willingly leave the Town of *Hull* in the state it was before Sir *J. Hotham* drew any forces into it, delivering your Majesties Magazin into the Towre of *London*; And supplying whatsoever hath bin disposed by Us for the service of the Kingdom. We shall be ready to settle the *Militia* by a Bill, in such a way, as shall be Honorable and safe for Your Majesty, most agreeable to the duties of Parliament, and effectuall for the good of the Kingdome; That the strength thereof be not imployed against it self; & that which ought to be for our securitie, applied to our destruction: And that the Parliament, and those who professe and desire still to preserve the Protestant Religion, both in this Realme, and in *Ireland*, may not be left naked, and indefensible, to the mischievous designes, and cruell attempts of those, who are the profest and confederated Enemies thereof, in your Majesties Dominions and other Neighbour Nations, to which if your Majesties courses and Councels shall from hence-forth concurre, Wee doubt not but wee shall quickly make it appeare to the World, by the most eminent effects of Love and Duty, That Your Majesties personall safetie, Your Royall Honour and Greatnesse are much deerer to Us then our own Lives and Fortunes, which we do most heartily Dedicate, and shall most willingly imploy for the support and maintenance thereof.

His Majesties Answer to the late petition.

THough his Majesty had no great reason to believe that the Directions sent to the Earle of *Warwick* to go to the River of *Humber*, with as many ships as he should think fit for all possible assistance to Sir *J. Hotham* (whilst his Majesty expected the giving up of the Town unto him) and to carry away such Armes from thence as his discretion thought fit to spare out of his Majesties own Magazine; The choosing a Generall by both Houses of Parliament for the defence of those who have obeyed their Orders and Commands (be they never so extravagant and illegall,) Their Declaration that in that case they would live and die with the Earle of *Essex* their Generall (all which were voted the same day with this Petition) And the committing the Lord *Major* of *London* to prison, for executing his Majesties Writs and lawfull Commands, were but ill Prologues to a Petition which might compose the miserable distractions of the Kingdome; Yet his Majesties passionate desire of the Peace of the Kingdom, together with the preface of the Presenters, that they had brought a Petition full of duty and submission to his Majesty, and which desired nothing of Him but His consent to Peace (which his Majesty conceived to be the language of both Houses too) begot a greedy hope and expectation in Him, that this Petition would have beene such an Introduction to Peace, that it would at least have satisfied His Message of the eleventh of this Moneth, by delivering up *Hull* unto his Majesty. But to his unspeakable grief his Majesty hath too much cause to believe, that the end of some persons by this Petition, is not in truth to give any reall satisfaction to his Majesty, but by the specious pretences of making offers to Him, to misleade and seduce His People, and lay some imputation upon Him of denying what is fit to be granted, otherwise it would not have thrown those unjust reproaches and scandals upon his Majesty for making necessary and just defence for his own safety, and so peremptorily justified such actions against Him, as by no Rule of Law or Justice can admit the least colour of defence, and after so many free and unlimited Acts of Grace passed by his Majesty without any condition, have proposed such things which in Justice cannot be denied unto Him upon such conditions as in Honour Hee cannot grant. However that all the World may see how willing his Majesty would be to embrace any overture that

that might beget a right understanding between Him and his two Houses of Parliament (with whom He is sure He shall have no contention, when the private practices and subtile insinuations of some few malignant persons shall be discovered, (which his Majesty will take care shall be speedily done.) He hath with great care weighed the particulars of this Petition, and returns this Answer.

That the Petitioners were never unhappy in their Petitions or Supplications to his Majesty while they desired any thing which was necessary or convenient for the Preservation of Gods true Religion, His Majesties safety and Honour, and the Peace of the Kingdom, and therefore when those generall envious foundations are layd, His Majesty could wish some particular instances had been applyed. Let Envy and Malice object one particular Proposition for the preservation of Gods true Religion, which His Majestie hath refused to consent to; What himself hath often made for the ease of tender Consciences, and for the Advancement of the Protestant Religion is notorious by many of His Messages and Declarations; What regard hath bin to his Honour and safety, when Hee hath been driven from some of His Houses and kept from other of his Towns by force, and what care there hath been of the Peace of the Kingdome, when endeavour hath been used to put all His Subjects in Armes against him, is so evident, that His Majesty is confident He cannot suffer by those generall Imputations; Tis enough that the World knows what hee hath granted, and what He hath denyed.

For his Majesties raising forces, and making preparations for war (whatsoever the Petitioners by the evil Arts of the Enemies to His Majesties Person and Government, and by the Calumnies and Slanders raised against his Majesty by them, are induced to believe) all men may know what is done that way, is but in order to his Owne defence. Let the Petitioners remember that (which all the World knows) His Majesty was driven from His Palace of White-hall for safety of His Life, That both Houses of Parliament upon their own Authority raised a Guard to themselves (having gotten the command of all the Train-bands of *London* to that purpose) without the least colour or shadow of danger, That they usurped a Power by their pretended Ordinance (against all Principles and Elements of Law) over the whole *Militia* of the Kingdome, without and against his Majesties consent, That they took possession of his Town, Fort, and Magazine of *Hull*, and committed the same to Sir *John Hotham*, who shut the Gates against His Majesty, and by force of Arms denied entrance thither to his own person, That they justified this Act, which they had not directed, and took Sir *Jhon Hotham* into their Protection, for whatsoever he had done or should do against His Majesty, And all this whilst his Majesty had no other Attendance then his own menial servants. Upon this the duty and affection of this County prompted His subjects here to provide a final guard for His Person, which was no sooner done, but a Vote suddenly passed of His Majesties intention to leavy War against his Parliament, (which God knows His Heart abhorreth) And notwithstanding all his Majesties Professions, Declarations, and Protestations to the contrary, seconded by the cleer testimony of so great a number of Peeres upon the place, Propositions and Orders for Levies of men, Horse and Armes were sent throughout the Kingdom, Plate and Money brought in and received, Horse and Men raised towards an Army, mustered and under command, and all these contrary to the Law, and to his Majesties Proclamation, And a Declaration published, that if He should use force for the Recovery of *Hull* or suppressing the pretended Ordinance for the *Militia*, it should be held leavying War against the Parliament. And all this done before his Majesty granted any Commission for the leavying or raising a Man. His Majesties Ships were taken from Him, and committed to the Custody of the Earle of *Warwick*, who presumes under that power to usurpe to himselfe the

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Soveraignty of the Sea, to chase, fright, and imprison such of his Majesties good Subjects as desire to obey His lawfull commands, although he had notice of the Legall Revocation of the Earle of *Northumberland* his Commission of Admirall, wherby all Power derived from that Commission seized. Let all the World now judge, who began this War, and upon whose Accompt the miseries which may follow must be cast, What his Majesty could have done lesse then He hath done, and whether Hee were not compelled to make Provision both for the Defence of Himselfe, and Recovery of what is so violently and injuriously taken from Him, and whether these Injuries and Indignities are not just grounds for his Majesties feares and apprehensions of farther mischief and danger to Him. Whence the feares and jealousies of the Petitioners have proceeded, hath never bin discovered; the dangers they have brought upon His good Subjects are too evident; What those are they have prevented no man knows. And therefore his Majesty cannot but look upon that charge as the boldest, and the most scandalous hath been yet laid upon Him *That this necessary Provision made for His own safety and defence, is to over-rule the judgment and advice of His great Councell, and by force to determine the Questions there depending concerning the Government and Liberty of the Kingdome.* If no other force had been raysed to determine those Questions then by His Majestie, this unhappy misunderstanding had not been. And His Majesty no longer desires the blessing and Protection of Almighty God upon Himself and his posterity, then Hee and they shall solemnly observe the due execution of the Laws in the defence of Parliaments, and the just freedomes thereof.

For the forces about *Hull*, His Majesty will remove them, when Hee hath attained the end for which they were brought thither. When *Hull* shall be reduced againe to his subjection, He will no longer have an Army before it. And when He shall be assured that the same necessity and publick good which took *Hull* from Him, may not put a Garrison into *Newcastle* to keep the same against Him, He will remove His from thence, and from *Tinmouth*; Till when the example of *Hull* will not out of His memory.

For the Commissions of Array, which are legall, and are so proved by a Declaration now in the Presse, His Majesty wonders why they should at this time be thought grievous, and fit to be recalled, if the feats of Invasion and Rebellion be so great that by an illegall pretended Ordinance tis necessary to put His Subjects into a posture of defence to Array, Train, and Muster them, He knows not why the same should not be done in a regular known lawfull way. But if in the execution of that Commission any thing shall be unlawfully imposed upon His Subjects, His Majesty will take all just and necessary care for their redresse.

For his Majesties comming neerer to his Parliament, His Majestie hath expressed himselfe so fully in His severall Messages, Answers and Declarations, and so particularly avowed a Reall feare of His safety, upon such instances as cannot be answered, that Hee hath reason to take Himselfe somewhat neglected, that since upon so manifest reasons 'tis not safe for his Majesty to come to them, both His houses of Parliament will not come neerer to his Majesty, or to such a place, where the freedome and dignity of Parliament might be preserved. However his Majestie shall be very glad to heare of some such example in their punishing the Tumults (which he knowes not how to expect, when they have declared that they knew not of any Tumults, though the house of Peeres desired both for the dignity and freedom of Parliament, that the House of Commons would joyn with them in a Declaration against Tumults which they refused (that is neglected to doe.) And other seditious Actions, Speeches and Writings, as may take that apprehension of danger from him, though when He remembers the particular complaints Himselfe

ſelfe hath made of buſineſſe of that nature, and that in ſteed of inquiring out the Authors, neglect of Examination hath beene, when offer hath beene made to both houſes to produce the Authors (as in that treaſonable Paper concerning the *Militia*) and when Hee ſees every day Pamphlets publiſhed againſt his Crowne, and againſt Monarchy it ſelfe, as the Obſervations upon his laſt Meſſages, Declarations and Expreſſes, and ſome Declarations of their owne, which gives too great incouragement in that Argument to ill affected perſons; His Majeſtie cannot with confidence entertaine thoſe hopes which would be moſt welcome to Him.

For the leaving Delinquents to the due Courſe of Juſtice, His Majeſtie is moſt aſſured He hath been no ſhelter to any ſuch. If the tediouſneſſe and delay in proſecution, the vaſt charge in Officers Fees, the keeping men under a generall Accuſation without tryall a whole yeare and more, and ſo allowing them no way for their defence and vindication have frighted men away from ſo chargeable and uncertaine an attendance; The Remedie is beſt provided where the diſeaſe grew. If the Law be the meaſure of Delinquency, none ſuch are within his Majeſties Protection; But if by Delinquents, ſuch are underſtood, who are made ſo by Vote, without any treſpaſſe upon any knowne or Eſtabliſhed Law; If by Delinquents thoſe nine Lords are underſtood, who are made Delinquents for obeying his Majeſties Summons to come to him, after their ſtay there was neither ſafe nor honourable, by reaſon of the Tumults and other violences, and whoſe impeachment he is confident is the greateſt breach of Priviledge that before this Parliament was ever offered to the Houſe of Peeres. If by Delinquents ſuch are underſtood, who refus'd to ſubmit to the pretended Ordinance of the *Militia*, to that of the Navy, or to any other which his Majeſtie hath not conſented to; Such who for the peace of the Kingdome in an humble manner prepare Petitions to Him, or to both Houſes, as His good Subjects of *London* and *Kent* did, whilſt ſeditious ones as that of *Eſſex*, and other places are allowed and cheriſhed; If by Delinquents ſuch are underſtood, who are called ſo, for publiſhing His Proclamations (as the Lord Major of *London*) or for reading His Meſſages and Declarations (as divers Miniſters about *London* and elſe where) when thoſe againſt Him are diſperſed with all care and induſtry, to poyſon and corrupt the loyalty and affections of his good People; If by Delinquents, ſuch are underſtood, who have or ſhall lend his Majeſtie money in the Univerſities, or in any other places; His Majeſtie declares to all the world, that He will protect ſuch with His utmoſt power and ſtrength, And directs that in theſe Caſes they ſubmit not to any Meſſengers or Warrants, it being no leſſe His duty to protect thoſe who are innocent, then to bring the guilty to condigne puniſhment, of both which the Law is to bee Judge. And if both Houſes doe thinke fit to make a Generall, and to rayſe an Army for defence of thoſe who obey their Orders and Commands; His Majeſtie muſt not ſit ſtill and ſuffer ſuch who ſubmit to his juſt power, and are ſolicitous for the Law of the Land, to periſh and bee undone, becauſe they are called Delinquents; And when they ſhall take upon them to diſpence with the attendance of thoſe who are called by his Majeſties Writ, whilſt they ſend them to Sea to rob his Majeſtie of His Ships, or into the ſeverall Counties to put his Subjects in armes againſt him, His Majeſtie (who only hath it) will not loſe the power to diſpence with them, to attend His owne Perſon, or to execute ſuch Offices as are neceſſary for the preſervation of Himſelfe and the Kingdome, but muſt protect them, though they are called Delinquents.

For the manner of the Proceeding againſt Delinquents, His Majeſtie will proceed againſt thoſe who have no Priviledge of Parliament, or in ſuch Caſes where no Priviledge is to be allowed, as He ſhall be adviſed by His learned Counſell, and according to the

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knowne and unquestionable Rules of the Law; It being unreasonable that He shou'd bee compelled to proceed against those, who have violated the knowne and undoubted Law, onely before them who have directed such violation.

Having said thus much to the particulars of the Petition, though his Majesty hath reason to complaine; That since the sending this Petition, they have beaten their Drummes for Souldiers against Him, arm'd their new Generall with a power destructive to the Law and Liberty of the Subjects, and chosen a Generall of their Horse. His Majestie out of His Princely love, tenderesse and compassion of His People, and desire to preserve the Peace of the Kingdome, that the whole force and strength of it may be united for the defence of it selfe, and the relieфe of *Ireland* (in whose behalfe) He conjures both His Houses of Parliament, as they will answer the contrary to Almighty God, His Majesty, to those that trust them, and to that bleeding miserable Kingdome, that they suffer not any monys granted and collected by Act of Parliament to be diverted or imployed against his Majestie, whilst his Souldiers in that Kingdome are ready to mutiny or perish for want of Pay, and the barbarous Rebels prevail'd by that encouragement) is graciously pleased once more to propose and require.

That his Towne of *Hull* be immediately delivered up to Him, which being done (though His Majestie hath been provoked by unheard of Insolencies of Sir *John Hotham* since his burning and drowning the Country in seizing His wine and other Provisions for his House, and scornfully using His Servant whom He sent to require them, saying, It came to him by Providence, and He will keepe it, and so refusing to deliver it, with Threats if he or any other of his fellow servants should againe repaire to *Hull* about it, and in taking and detayning Prisoners divers Gentlemen and others in their passage over the *Humber* into *Lincolne-shire* about their necessary occasions, and such other Indignities, as all Gentlemen must resent in His Majesties behalfe) His Majestie to shew His earnest desire of Peace (for which he will dispence with His owne Honour) and how farre He is from desire of revenge, will grant a free and generall Pardon to all Persons within that Towne.

That his Majesties Magazine taken from *Hull*, be forth with put into such hands as Hee shall appoint.

That His Navy be forthwith delivered into such hands as He hath directed for the government thereof, the detaining thereof after his Majesties directions published and received to the contrary, and imploying his Ships against Him in such manner as they are now used, being notorious high Treason in the Commanders of those Ships.

That all Armies, Levies, and Provisions for a Warre made by the consent of both Houses, (by whose Example his Majestie hath beene forced to make some preparations be immediately laid downe, and the pretended Ordinance for the *Militia*, and all power of imposing Lawes upon the Subject without his Majesties consent, be disavowed, without which the same pretence will remaine to produce the same mischiefes. All which his Majestie may as lawfully demand, as to live, and can with no more Justice be denyed him, then His life may be taken from him.

These being done, and the Parliament adjourned to a safe and secure place, his Majestie promises in the presence of God, and binds himselfe by all His confidence and Assurance in the affection of His People, that Hee will instantly and most chearefully lay downe all the force he shall have rayled, and discharge all His future and intended Levyes; That there may be a generall face of Peace over the whole Kingdome; And will repaire to them, And desires that all differences may bee freely debated in a Parlamentary way, whereby the Law may recover its due Reverence, the subject his just Liberty, and

Parliaments

Parliaments themselves their full vigour and estimation, And so the whole Kingdome a blessed Peace, quiet and Prosperity.

If these propositions shall be rejected, his Majestie doubts not of the Protection and Assistance of Almighty God, and the ready concurrence of His good Subjects, who can have no hope left them of enjoying their owne long, if their King may be oppressed and spoyled, and must be remediless. And though his Townes, His Ships, his Armes and His money begotten and taken from him, He hath a good cause left, and the hearts of His People, which with Gods blessing He doubts not, will recover all the rest. Lastly, if the Preservation of the Protestant Religion, the defence of the Liberty and Law of the Kingdome, The dignity and freedome of Parliament, and the recoury and the release of bleeding and miserable *Ireland*, be equally pretious to the Petitioners, as they are to his Majesty (who will have no quarrell but in defence of these) there will bee a cheerefull and speedy consent to what his Majestie hath now proposed and desired.

And of this His Majestie expects a full and positive Answer by Wednesday the 27. of this instant *July*. Till when he will not make any attempt of force upon *Hull*, hoping in the affection, duty, and loyalty of the Petitioners; And in the meane time expects that no supply of Men be put into *Hull*, or any of His Majesties goods taken from thence.

VOTES. *Die Martis* 12 *Iulii*, 1642.

Resolved upon the Question.

THat an Army shall be forthwith raised for the safety of the Kings person, defence of both Houses of Parliament, and of those who have obeyed their Orders and commands, and preserving of the true Religion, the Laws liberty and peace of the Kingdom.

Resolved upon the Question.

That the Earle of *Essex* shall be the Generall.

Resolved upon the Question.

That this house doth declare, that in this cause for the safety of the Kings person, defence of both Houses of Parliament, and those who have obeyed their Orders and commands, and preserving of the true religion, the Laws liberty, and peace of the Kingdom, they will live and die with the Earle of *Essex* whom they have nominated Generall in this cause: *Resolved upon the Question.*

That a Petition shall be framed, to move His Majesty to a good accord with His *Parliament*, to prevent a Civill War.

The Petition being drawn, was agreed unto upon the Question: and with these Votes were presented unto the Lords. Who returned answer, they did concur with the House of Commons, *in omnibus*.

Whereupon both Houses ordered, that the Earl of *Holland*, Sir *John Holland*, and Sir *Phillip Stapleton* should forthwith repaire to *Beverley*, and present the Petition unto His Majesty.

The Message of the 11 of July came to the House of Peeres, after this petition was agreed on being so full an answer thereunto, as both Houses resolved to give no other answer to that Message, but the said Petition. *Resolved upon the Question.* 14 July, 1642

That all the Members of this House that have subscribed for the bringing in of Horse, Money, or Plate, do bring the same by Tuesday next, and that a Report be made then to the House Who are defective herein. *Resolved upon the Question.*

That the Earle of *Bedford* shall be Generall of the Horse.

Hen. Elsynge Cler. Parl. D. Com.

FINIS.